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OFFICE OF PETITIONS

In re Application of :
Zhong et al. :
Application No. 09/917,438 :
Filed: July 27, 2001 :
Attorney Docket No. 3275.28US01 :

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed January 3, 2005, to revive the above-identified application.

The petition is **GRANTED**.

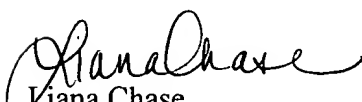
The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed December 10, 2003, and no extensions of time under the provisions of 37 CFR 1.136(b) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on February 11, 2004. See MPEP 1215.04. A Notice of Abandonment was mailed July 15, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an Request for Continued Examination (RCE) and an amendment; (2) the petition fee and RCE fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply has been accepted as having been unintentionally delayed.

A total of \$1145.00 will be charged to petitioner's deposit account for payment of the \$750.00 petition fee and the \$395.00 RCE fee, as authorized.

This matter is being referred to Technology Center 2800 for processing of the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3282.


Liana Chase
Petitions Examiner
Office of Petitions